

REMARKS

By this paper, claims 1, 14, 22, 31 and 33 are amended, and claims 34-36 are newly presented. Accordingly, claims 1-2, 4-11, 14-22 and 31-36 are pending of which claims 1, 14 and 22 are the only independent claims at issue. Support for the amendments and the new claims is found throughout the application as originally filed, including but not limited to the disclosure found in paragraphs [0032], [0036]-[0037], [0040] and Figure 6 of Pub. No. 2005/0216831, which corresponds to the present application.

The Final Office Action, mailed March 12, 2010, considered and rejected claims 1, 2, 4-11, 14-22 and 31-33 under 35 U.S.C. § 103(a) as being obvious in view of Buss et al. (Pub. No. 2003/0110249), Stowell et al. (Pub. No. 2002/0099579), Pokorny et al. (Pub. No. 2003/0154144) and DeGroote et al. (Pat. No. 7,076,763).

The pending claims are generally directed to embodiments in which key performance indicator (KPI) data is identified and used to generate corresponding documents and interface displays to display different KPIs along with a simultaneous display of the value, goal, status, trend and weight associated with each KPI. Claim 1 is directed to a KPI system, claim 14 is directed to a method for retrieving KPIs, and claim 22 is directed to a corresponding computer readable storage media.

Each independent claim has been amended to further clarify aspects of the interface display, which provides a *simultaneous* display of text and graphical display parameters for each KPI of interest. For example, claim 14 recites, among other things, that a user interface component generates a user interface display that separately displays each of one or more KPIs of interest, along with a *simultaneous* representation of text and graphical display parameters, including a value, goal, status, trend and weight of each of the corresponding displayed one or more KPIs. Such an embodiment is illustrated in Figure 6 and is described in the corresponding disclosure in the Specification.

The Office Action rejected all the claims as being obvious. Independent claims 1, 14 and 22 were rejected in view of Buss and Stowell, and some dependent claims were rejected in further view of Pokorney and DeGroote. However, in view of the present amendments and the new claims, which clarify certain embodiments and which further distinguish over the cited references, Applicant respectfully submits that these references fail to disclose or suggest each element of the independent claims—either singly or in combination—for at least the following reasons.

Buss is generally related to monitoring business performance indicators in a networked environment, while Stowell discusses aspects of monitoring performance between buyers and suppliers participating in a performance-based supply chain system. However, these references fail to disclose or suggest, among other things, "a user interface display that separately displays each of the one or more of the KPIs of interest along with a simultaneous representation of the text and graphical display parameters, including at least the value, the goal, the status, the trend and the weight of each of the corresponding displayed one or more KPIs," as recited by independent claims 14 and 22, and as similarly recited by independent claim 1. It is noted that Stowell was cited as relating to the concept of displaying a representation of the value, goal, status, trend and weight of each of one or more KPIs. However, Applicant respectfully disagrees. While Stowell discusses displaying information associated with KPI's, Stowell fails at least to disclose or suggest displaying *each of the value, the goal, the status, the trend and the weight* of a corresponding KPI. Furthermore Stowell fails to disclose or suggest at least the additional limitations added by the present amendments, including among other things, "a *simultaneous representation* of the text and graphical display parameters, including at least the value, the goal, the status, the trend and the weight."

Pokorney was cited as relating to aspects related to databases, while DeGroote was cited only for aspects of a status gauge, status bar, or stoplight. However these fail to overcome at least the foregoing deficiencies of Buss and Stowell. For at least the reason that the cited references fail to disclose or suggest there foregoing limitations, Applicant respectfully submits that independent claims 1, 14 and 22 are allowable over the references.

Many dependent claims are also independently allowable over the cited references. For example, none of the references disclose or suggest the additional limitations of amended claims 31 and 33, which further define a gauge and a stop light used to represent the status. Furthermore, none of the references disclose or suggest the additional limitations of new claims 34-35, which are directed to more particular embodiments of the display of the user interface component, among other things.

In view of the foregoing, Applicant respectfully submits that all the rejections to the independent claims are now moot and that the independent claims are now allowable over Buss, Stowell, Pokorney and DeGroote, such that any of the remaining rejections and assertions made, particularly with respect to the dependent claims, do not need to be addressed individually at this

time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice, and particularly with regard to the dependent claims.¹

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 11th day of May, 2010.

Respectfully submitted,



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¹ Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise.